

AMENDMENT TO H.R. 3920, AS REPORTED
OFFERED BY MR. RYAN OF WISCONSIN

Add the following after section 204 and amend the
table of contents accordingly:

1 SEC. 205. PERFORMANCE MEASURES.

2 Section 253 of the Trade Act of 1974 (19 U.S.C.
3 2343) is amended by adding at the end the following new
4 subsections:

5 “(c) (1) Any grant made under subsection (b)(3)
6 shall include performance measures that an intermediary
7 organization is expected to achieve with respect to the pro-
8 gram carried out under this chapter. The performance
9 measures shall consist of indicators of performance de-
10 scribed in paragraph (2) and levels of performance de-
11 scribed in paragraph (3) applicable to each such indicator
12 of performance.

13 “(2) The indicators of performance referred to in
14 paragraph (1) are the following:

15 “(A) The extent to which outreach efforts effec-
16 tively apprise import-impacted firms likely to benefit
17 from the program about resources available under
18 the program.

1 “(B) The extent to which firms receiving ad-
2 justment assistance under section 252 meet or ex-
3 ceed targets to retain or create employment.

4 “(C) The percentage of workers totally or par-
5 tially separated from employment that have returned
6 to work or returned to their previous level of employ-
7 ment.

8 “(D) The extent to which firms receiving ad-
9 justment assistance under section 252 meet or ex-
10 ceed targets for maintaining or increasing sales or
11 production.

12 “(E) Such other indicators of performance as
13 the Secretary may determine are appropriate.

14 “(3) The levels of performance referred to in para-
15 graph (1) shall be determined by the Secretary, after con-
16 sultation with the intermediary organization. In reviewing
17 an intermediary organization’s levels of performance, the
18 Secretary shall take into consideration economic condi-
19 tions affecting the region served by the organization that
20 may affect that performance.

21 “(4)(A) Any grant made under subsection (b)(3)
22 shall also include a requirement that the intermediary or-
23 ganization submit to the Secretary a report on an annual
24 basis on the levels of performance achieved with respect
25 to each indicator of performance under the program car-

ried out under this chapter in the preceding fiscal year,
and such additional reports regarding such indicators of
performance as the Secretary may require.

“(B) The Secretary shall make the information contained in the reports described in subparagraph (A) available to the general public through publication on the Website of the Economic Development Administration and other appropriate methods. The Secretary shall provide copies of the reports described in subparagraph (A) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

“(C) The Secretary shall also publish on the Website of the Economic Development Administration a list that identifies those intermediary organizations that fail to submit reports to the Secretary in accordance with subparagraph (A) on a timely basis or fail to submit accurate reports to the Secretary in accordance with subparagraph (A).

“(d) At least once every three years, the Secretary shall provide for an independent evaluation of each intermediary organization receiving assistance under this section to assess the intermediary organization’s performance and contribution toward retention and creation of employment. The purpose of the evaluations shall be to determine which intermediary organizations are performing well and

1 merit continued assistance under this section and which
2 intermediary organizations should not receive continued
3 assistance under this section, so that other universities
4 and intermediary organizations that have not previously
5 received assistance under this section may participate in
6 the program carried out under this chapter.”.

In section 162, add the following after subsection
(b):

7 (c) PERFORMANCE ACCOUNTABILITY.—Section 239
8 of the Trade Act of 1974 (19 U.S.C. 2311) is amended
9 by adding at the end the following new subsection:

10 “(h) PERFORMANCE ACCOUNTABILITY.—

11 “(1) IN GENERAL.—Any agreement entered
12 into under this section shall include performance
13 measures that the cooperating State or State agency
14 is expected to achieve with respect to the program
15 carried out under this chapter. The performance
16 measures shall consist of indicators of performance
17 and levels of performance applicable to each indi-
18 cator.

19 “(2) INDICATORS OF PERFORMANCE.—The in-
20 dicators of performance shall be—

21 “(A) entry into employment;

22 “(B) retention in employment;

23 “(C) average earnings; and

1 “(D) such other indicators as the Sec-
2 retary determines are appropriate.

3 “(3) LEVELS OF PERFORMANCE.—The levels of
4 performance for each State for the indicators of per-
5 formance described in paragraph (2) shall be deter-
6 mined by the Secretary, after consultation with the
7 State.

8 “(4) PERFORMANCE REPORTING.—Any agree-
9 ment shall also include a requirement that the State
10 annually report to the Secretary the level of per-
11 formance achieved with respect to each indicator
12 under the program carried out under this chapter in
13 the preceding fiscal year, and the State shall submit
14 such additional reports regarding the performance of
15 programs as the Secretary may require. The Sec-
16 retary shall make the information contained in the
17 annual reports available to the general public
18 through publication on the Website of the Depart-
19 ment of Labor and other appropriate methods and
20 shall provide copies of the reports to the Committee
21 on Ways and Means of the House of Representatives
22 and the Committee on Finance of the Senate. The
23 Secretary shall also publish on the Website of the
24 Department of Labor a list identifying those States

1 that fail to submit reports to the Secretary on a
2 timely basis or fail to submit accurate reports.”.